

# Town of La Pointe

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## REGULAR TOWN BOARD MEETING TUESDAY, AUGUST 28, 2012 AT 5:30 AT TOWN HALL

**Called to Order at 5:37 PM**

**Present:** Ham Ross, Jim Patterson, Greg Nelson, Larry Whalen

**Absent:** Nick Nelson [subsequently arrived @ 5:45 PM]

**Dept. Heads present:** Keith Sowl, Jen Croonborg-Murphy, Pete Clark, Carol Neubauer

**Public Present:** Dave Thomas, Pete Rogers, Charlie Meech, Jimmy Rogers, Glenn Carlson @5:55PM

### **I. Public Comment**

Carol Neubauer requests that item X. C. be moved up in the agenda

**Motion to move to item X.C. HR/JP 4A MC**

**Motion to return to the printed agenda. HR/JP 4A MC**

**II. Vouchers** approved in the amount of \$266,426.20 [which includes the payment to Fahrner Construction for the Crack/Chip Sealing Project in the amount of \$208,467.46.] JP/LW 4A MC

**Nick Nelson arrives at 5:45 PM**

### **III. Minutes**

- A. Regular Town Board Meeting 8/14/12 approved as submitted by motion. HR/JP 5A MC

### **IV. Public Works**

#### **A. Roads**

#### **B. Parks**

1. Review of bid proposals & possible award of contract for Big Bay Town Park Phase I Improvements: Town Administrator {TA} Pete Clark reports that the bid proposals were opened on August 27, 2012 at 1:00 PM in the offices of Chequamegon Bay Engineering. Arnie Mackey Construction presented the lowest bid at \$515,701, which Clark recommends accepting. Keith Sowl states that the Pember Construction bid was contingent on approval of the grants for this project being approved. According to Sowl Ed Slaminisky [Wisconsin Department of Natural Resources DNR] says that the Town has the grants; however, Sowl wishes for the motion to approve this proposal to have the same stipulation.

**Motion to accept the bid proposal of the Arnie Mackey Construction Company in the amount of \$515,701 for the Big Bay Town Park Phase I Improvements contingent upon written notice of grant approval from the DNR. HR/JP 5A MC**

#### **C. Airport**

1. Airport Manager's Report & Checklist: placed on file by unanimous consent for the following dates: 7/29, 8/5, 8/12, & 8/19, 2012.

### **V. Emergency Services**

#### **A. Fire Department**

- 1. Fire Chief's Report: not available

### **VI. Library**

- A. Library Board Minutes** for 7/24/12: placed on file by unanimous consent.

## **IX. Committees**

### **A. Zoning**

1. Ashland County Housing Authority Certified Survey Map, Block 5, LP# 014-00393-0200 and 014-00393-0100. Zoning Administrator Croonborg-Murphy reports that this Certified Survey Map [CSM] is pending a correction; it has been recommended by the Town Plan Commission [TPC] and reviewed by Ashland County. Motion to approve the CSM for Block 5, LP #014-00393-0200 & -0100. JP/HR 5A MC

2. Erickson, Evan: CSM at 304 Big Bay Road, LP #014-00198-0200: ZA Croonborg-Murphy reports that this CSM is pending County review but has TPC approval contingent on a map change: the CSM requires access, and currently the only access is to Rice Street, which was never adopted as a street. The ZA is not sure what the County will do about this. Motion to approve the CSM for 304 Big Bay Road, LP #014-00198-0200. JP/NN 5A MC

3. Ryder, Benjamin re: Rental of a Principal Dwelling at 2427 Spirit Lane 014-0059-0200 - Zoning Administrator request to revoke rental permit: ZA Croonborg-Murphy reports that this is a zoning issue: there has been no Ashland County Health Department license for two years. She states that this revocation is required by ordinance, but that it will be hard on renters. Jim Patterson asks how many renters will be affected. No answer is given. Motion to revoke the rental permit at 2427 Spirit Lane LP #014-0059-0200 . HR/NN 5A MC

4. Craftivity, Inc. aka Madeline Island School of the Arts re: Rental without required permit - Zoning Administrator request for Orders of Correction at 978 Middle Road 014-00178-0200: ZA Croonborg-Murphy reports that this is a matter of procedure; she asked for TPC interpretation regarding whether a permit is required or not: the TPC decision was that a permit is required for the farmhouse but not the cottages. Discussion followed, the points of which are summarized below:  
Nick Nelson asks if a legal opinion was sought. The ZA answers that the legal opinion that was sought but only regarding the cottages.  
Greg Nelson asks is this is only about getting the permit.  
ZA Croonborg-Murphy states that the property owner has not appealed.  
Nick Nelson asks why the TPC made the decision that it did.  
Larry Whalen responds: "the farmhouse is a house; the cottages are dorms, and there is value given to the teachers who stay there."  
Nick Nelson asks Charlie Meech if it's so hard to get the permit.  
Charlie Meech states that "it's not for rent."  
Pete Clark states that the Town Board should honor the work of the TPC, but does other employee housing require/obtain a permit.  
Consensus answer: yes: it's required and yes, they get the permit.  
Pete Clark states that there is, then, precedent for requiring the permit. He then asks how you break out the cost of board.  
Nick Nelson says that the \$100 permit is a small thing to ask and that no business should be treated differently than all the others.  
Jim Patterson asks if all instructors stay in the farmhouse.  
Charlie Meech reiterates that he doesn't want to pay accommodations tax.  
Jim Patterson asks how anyone can pay tax on zero.  
**Motion to authorize the Zoning Administrator to issue orders of correction at 978 Middle Road 014-00178-0200. NN/LW 4A 1 No [GN] MC**

**B. CAPP** Nick Nelson states that he has been talking to current CAPP members and that he is trying to recruit new members. The Clerk & the Town Administrator will find out if CAPP currently has a

quorum; if so, a letter will be sent kindly requesting their action on the following items; the Comprehensive Plan review; a process for determining how roads shall be adopted by the Town; research into the possibility of a Rieman Park; and a process & name for the annual award to citizens of the Town as spelled out in the Comprehensive Plan.

#### **X. Town Hall Administration**

A. Administrative Assistant's Report: placed on file by unanimous consent

B. Town Administrator's Report: placed on file by unanimous consent. Some discussion of the ad Hoc Tribal Relations Committee as the Town Administrator stresses the importance of this committee for the future. Greg Nelson asks who will be determining the agenda when this committee meets. [Clerk's note: the committee is not yet complete as no word has been heard back from the tribes regarding their participation.

C. Resolution for Loan Approval for Crack Sealing Project: Carol Neubauer presents a memo to the Town Board in which she sets out three suggestions for dealing with paying for the crack sealing: (1.) borrow now for a five-year term rate of 2.7% annually, with payments of \$44,700 due annually starting on 9/1/2013. [to begin accruing interest immediately upon the loan origination. (2.) pay cash now: current available cash balance is \$900,000. This has the possibility of producing cash flow issues. (3.) pay cash now and borrow in the future: the risk here is that the lending rate could go up.

Recommendation from the Treasurer: payment for the chip seal project from the current cash balance with an agreement to borrow when the Town's cash flow position requires such action

**Motion to adopt option #3: pay cash now and borrow when the situation arises. JP/HR 4A** [Nick Nelson had not yet arrived.] **MC**

D. Correction to Treasurer's Cash Summary of 7/31/12: Motion to approve the Treasurer's Summary of July 31, 2012, approved as corrected showing the following amounts: checking balance--\$238,591.37 and a total of \$1,096,790.42. JP/HR/ 5A **MC**

E. Adoption of new agenda format: Larry Whalen asks to be provided the old format template. Postponed by motion. LW/NN 5A **MC**

#### **XI. New Agenda Items for Future Meeting**

A. Upcoming Meeting of the Postal Service in Bayfield, WI, on October 11, 2012.

B. Big Bay Town Park

#### **XII. Lawsuits & Legal Issues**

#### **XIII. Liquor & Operators' Licenses**

A. Temporary Class "B" Picnic License for La Pointe Community Clinic: Codger Game at the Rec Center on 9/29/12

B. Non-alcoholic License for La Pointe Community Clinic: Codger Game at the Rec Center on 9/29/12

Both approved by motion with waiver of fees. HR/NN 5A **MC**

#### **XIV. Adjournment at 7:06 PM**

Submitted by Patty Hobin, Town Clerk

Approved as submitted on 9/11/12

Patty Hobin, Clerk